

BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS

P.O. BOX 60046
NEW ORLEANS, LA. 70160
(504) 528-3345

TERRY MARTIN
PURCHASING AGENT

PURCHASING DEPARTMENT

REQUEST FOR QUOTATION-THIS IS NOT AN ORDER

Inquiries on this subject should refer to the following:

TO:

Requisition No. 055750

New Orleans, LA March 24, 2010

Please return this proposal duly signed by **10:30 a.m. Friday, April 22, 2010**, when all bids will be publicly opened. Only UNIT and TOTAL PRICES shall be entered opposite each item below on which you are prepared to bid for delivery, FREE OF CHARGE, to:

<u>SEE BELOW</u>
<u>DESCRIPTION</u>

IMPORTANT - THE TERMS AND CONDITIONS OF THIS PROPOSAL MUST BE COMPLIED WITH AND ALL BLANK SPACES MUST BE FILLED IN, OTHERWISE BID WILL BE REJECTED. BID BOND OR CASHIER’S CHECK MUST BE SUBMITTED WITH BID. SIGN BID ON SHEET 7 OF 7, OTHERWISE BID IS NON-RESPONSIVE.

Annual contract for the purchase of approximately 100,000 gallons, more or less, of unleaded gasoline and on-road diesel for Board vehicles and equipment in accordance with technical specs on page 4 of this RFQ. Approximately 50,000 gallons, more or less, may be purchased at facilities throughout the city of New Orleans, Louisiana and approximately 50,000 gallons, more or less, may be purchased on-site in accordance with attached specs. Bidders may bid on fixed price or vendor margin per gallon, or both.

Fixed price (per gallon) _____
Vendor margin (per gallon) _____

Note: Vendor margin prices per gallon to be added to the OPIS price per gallon at time of consumption.

CONTRACT PERIOD:
The fixed price and/or vendor margin price per gallon shall be in effect from July 1, 2010 through June 30, 2011, with option of Board acting through its President and CEO to renew the contract at the same price for an additional twelve months for approximately 50,000 gallons, more or less off-site and approximately 50,000 gallons, more or less on-site.

BASIS OF AWARD:
The award of the contract will be based on the lowest price per gallon, whether fixed or vendor margin. The Board estimates that approximately 50,000 gallons, more or less, will be purchased at locations throughout the metropolitan area of New Orleans, Louisiana and approximately 50,000 gallons, more or less, will be purchased and delivered to the Board’s on-site tanks located at 5350 Coffee Drive.

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WEEKLY PRICE ADJUSTMENTS FOR AWARD OF BID ITEMS:
Fuel prices will be adjusted each Monday in accordance with OPIS (Oil Price Information Service) gasoline and distillate reseller price PAD 3 report and will remain firm until the following Monday price adjustment. The weekly price adjustment will be four (4) digits past the decimal in accordance with OPIS gasoline and distillate reseller price PAD 3 report. **A rounded figure of less than four (4) digits is NOT acceptable.**

The vendor margin markup per gallon shall remain firm through the entire contract unless there is a change in the superfund tax or motor fuel delivery fees (LUST). If any of these fees increase or decrease, vendor margin per gallon may be adjusted accordingly. Change in fees must be verified by the Louisiana Oil Marketers Association and the Board.

TAXES:
State sales tax is not to be included in bid vendor margin per gallon nor the fixed price per gallon. The Board is exempt from state, local sales and use tax.

Federal tax is not to be included in bid vendor margin per gallon nor the fixed price per gallon. Federal excise tax exemption certificate will be furnished the successful bidder.

GENERAL:
It is the intent of this specification to provide for the purchase of on and off site unleaded gasoline and on-road diesel.

Contractor shall invoice the Board of Commissioners of the Port of New Orleans on a monthly basis for only fuel dispensed into authorized vehicles.

The bid prices shall include the cost to deliver fuel and to provide an automated fuel system for the Board of Commissioners of the Port of New Orleans in accordance with these specifications.

CONTRACTOR’S REQUIREMENTS:
The Contractor at his sole cost shall furnish all necessary software needed to implement the proposed automated fuel system. The Contractor shall provide at his sole cost all cards including replacements for a card system. The Contractor shall provide for at his sole cost all service required on computer terminals.

ON - SITE REQUIREMENTS:
The Contractor shall supply the following equipment/supplies and be responsible for the following services, but not limited to:

- 1) Gasoline and on-road diesel as listed (the physical inventory).
- 2) Fuel tank management including inventory reporting.
- 3) Pump totalizer accounting.
- 4) Assume the cost of inventory shortage.
- 5) A card system to activate the fuel dispensing.
- 6) Facilities management including equipment maintenance service management.

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REPORTS:

The Contractor, at its sole cost and expense, shall provide weekly reports to the Manager of Facility Services, to substantiate the fuel invoice. Weekly reports shall include the following:

- 1) Vehicle department.
- 2) Vehicle number and description.
- 3) Date and time of fueling.
- 4) Name of operator or fueler.
- 5) Location of fueling.
- 6) Gallons dispensed into vehicle.
- 7) Type of fuel.
- 8) Price and extended total of fueling.
- 9) Miles per gallon of vehicle or miles per hour meter.
- 10) A report that provides for the total number of gallons by fuel type.

MONTHLY REPORT SHALL INCLUDE THE FOLLOWING:

- 1) Monthly recap of weekly information.
- 2) Beginning and ending mileage.
- 3) Cost per mile for fuel used.
- 4) Provision for maintenance service description and accounts.
- 5) Any additional reports requested by the Port will be reimbursable at the Contractor’s actual cost only.
- 6) Copy of report on diskette (3.5).

AUDITS:

The Board of Commissioners of the Port of New Orleans reserves the right to have representatives of the Board’s internal audits department inspect the records maintained by the Contractor. The Contractor shall make available to the Board upon request all reports the Board requires for the purpose of auditing and verifying the quantities etc.

ON - SITE LOCATION (ONE ONLY):

5350 Coffee Drive, New Orleans, LA., the Board will provide at its own cost a computer terminal (including installation), connected to existing pumps and a dedicated telephone line including all monthly charges for telephone and electricity.

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LOUISIANA
DEPARTMENT OF AGRICULTURE AND FORESTRY
WEIGHTS AND MEASURES DIVISION
SPECIFICATION

DESCRIPTION: Gasoline shall be refined hydro-carbon mixture furnished in a minimum Regular Unleaded Grade.

REQUIREMENTS: Test methods shall be in accordance with procedures established by the American Society for Testing and Materials.

<u>PROPERTY</u>	<u>TEST METHOD</u>	<u>REQUIREMENTS</u>
Water and suspended matter	Visual inspection	None
Corrosion, Copper Strip	ASTM D 130	Not darker than No. 1
Distillation Temperature (°F at % Evaporated)	ASTM D 86	
10% volume, max		158
50 volume %		170-284
90 volume %, max		374
End Point, max		437
Residue volume %, max		2
Vapor Pressure (Reid). Psi, max	ASTM D5482	13.5
Sulfur, %, max	ASTM D 2622	0.10
Octane Number (R+M)/2	ASTM D 2699	87.0
	ASTM D 2700	
Lead Content, gm./gal., max	ASTM D 3237	0.05

Gasoline must be product normally distributed for regular trade. No blending at bulk plant or point of delivery will be permitted.

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CANCELLATION CLAUSE

The Board of Commissioners of the Port of New Orleans reserves the right to terminate this contact prior to the end of the period indicated on twenty-four (24) hours written notice, for unsatisfactory delivery or failure to meet required specifications. In the event of termination, all orders delivered prior to the effective date of termination shall be paid by the Board in accordance with the terms of the contract, whereupon all obligations on both parties to the contract shall cease.

INSURANCE REQUIREMENTS FOR CONTRACTORS

1. General Insurance Requirements

- a. **Insurance Companies:** All insurance shall be written with insurance companies authorized and licensed to do business in the State of Louisiana and acceptable to the Board (Best's rating A+, IV, or better). Self-insurance programs authorized by the Commissioner of Insurance of the State of Louisiana for workers' compensation insurance are acceptable with the submission of a notarized copy of the contractor's authority to self insure.
- b. **Primary Insurance:** All insurance required herein shall be primary to any similar insurance that may be carried by the Board for its own protection.
- c. **Insurance Certificates:** Before this agreement becomes effective, Contractor shall furnish to the Board's risk manager **original, manually signed** certificates evidencing that it has procured the insurance herein required. Current insurance certificates must be provided for the coverages required herein during the entire term of this agreement.
- d. **Named Insured:** Except for the workers' compensation insurance, the Board shall be named as an additional insured on all policies required herein.
- e. **Waiver of Subrogation:** All insurance policies required herein, as well as any other insurance carried by the Contractor for its protection or the protection of its property on the Leased Premises, shall provide that the insurers waive any rights of subrogation in favor of the Board.
- f. **Notice of Cancellation:** All policies required herein shall provide for **thirty (30)** days' written notice of cancellation or material change to be sent to the Board at P.O. Box 60046, New Orleans, LA 70160, Attention: Risk Manager.
- g. **Maintaining Insurance:** All insurance policies herein required shall remain in full force and effect for the duration of the contract period, as well as any renewal. If any insurance required herein is canceled or materially changed and not immediately replaced during the term of this contract period, as well as any renewal, the Board reserves the right to purchase insurance at the expense of the Contractor to protect the Board's interest. The furnishing of insurance shall not relieve the Contractor of the responsibility for losses not covered by insurance.
- h. **No Representation or Warranty:** The Board makes no representation or warranty that the insurance set forth in this Section will be sufficient to protect the Contractor's interests.
- i. **Deductibles:** The contractor shall be responsible for the full amount of any deductible associated with any of the insurance policies required herein.

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2. **Comprehensive General Liability Insurance** - Contractor shall procure and maintain at contractor’s sole cost and expense comprehensive general liability insurance **(on an occurrence basis)** with limit of liability of not less than one million dollars (\$1,000,000) for all injuries or deaths resulting to any one person or from any one occurrence. The aggregate limit for products and completed operations shall be not less than one million dollars (\$1,000,000). The limit of liability for property damage shall be not less than one million dollars (\$1,000,000) for each occurrence and aggregate. Coverage under such insurance shall also include damage hazards. This insurance shall include coverage for explosion, collapse and underground property damage hazards, completed operations and "broad form contractual endorsement". Where contractor’s operations include the use of watercraft, the watercraft exclusion in the comprehensive general liability policy shall be eliminated. A combination of primary and excess liability insurance may be used to satisfy the conditions of this paragraph.
3. **Comprehensive Motor Vehicle Liability Insurance** -Contractor shall procure and maintain at contractor’s sole cost and expense comprehensive motor vehicle liability insurance which **shall include hired car and non-ownership coverage** with limit of liability of not less than one million dollars (\$1,000,000) for all injuries or deaths resulting to any one person or from any one occurrence. The limit of liability for property damage shall be not less than one million dollars (\$1,000,000) for each occurrence and aggregate.
4. **Workers' Compensation Insurance** - Contractor shall procure and maintain at contractor’s sole cost and expense, workers' compensation insurance as will protect the contractor from claims under the Louisiana Workers' Compensation Act as well as under the Federal Longshoremen's and Harbor Workers' Compensation Act, if applicable. The limit of liability under the employer's liability section of the workers' compensation insurance policy shall be not less than one million dollars (\$1,000,000). Whenever applicable, protection shall also be provided for liability under the Jones Act and under general maritime law in an amount of not less than one million dollars (\$1,000,000).

Please refer any technical questions to Mr. Gene Ryan, @ 528-3500.

NOTE: THE BOARD RESERVES THE RIGHT TO REJECT ANY/OR ALL BIDS IN ACCORDANCE WITH LAW, TO WAIVE ANY INFORMALITY NOT A VIOLATION OF LAW, AND TO MAKE ANY AWARD IN THE BOARD'S BEST INTEREST AS PROVIDED BY LAW.

IMPORTANT-THE TERMS AND CONDITIONS OF THIS PROPOSAL MUST BE COMPLIED WITH AND ALL BLANK SPACES MUST BE FILLED IN, OTHERWISE BID MAY BE SUBJECT TO POSSIBLE REJECTION. NO CONSIDERATION WILL BE GIVEN BIDS UNLESS ON THIS FORM.

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DEPOSIT WITH BID

Each bid SHALL be accompanied by a certified or cashier's check or bid bond of a corporate surety authorized to do business in the State of Louisiana, (IF BID BOND IS FURNISHED, IT MUST BE ACCOMPANIED BY A POWER OF ATTORNEY OF SURETY), in the amount of five percent (5%) of the bid, payable to the Board of Commissioners of the Port of New Orleans, as a guarantee that the bidder will, if awarded the bid, sign and return an acceptance copy of the purchase order and execute proper performance bond as required below. Deposits will be returned to the unsuccessful bidders soon after the award of the bid, and to the successful bidder when he shall have signed and returned the acceptance copy of the purchase order and furnished performance bond as required below. Should the successful bidder fail to sign the acceptance copy of the purchase order and furnish the proper performance bond, his bid bond shall be forfeited to the Board.

PERFORMANCE BOND

The bidder to whom the bid is awarded shall furnish a bond, written by a surety company authorized to do and doing business in the City of New Orleans and State of Louisiana, in the sum not less than the total amount of the bid. The amount for unit price bids will be ascertained by this Board. The cost of any bond furnished by the Bidder shall be included in his bid. This bond is to guarantee the prompt and proper performance by the successful bidder of all and singular the obligations assumed by the bidder or imposed upon the bidder by the terms and conditions of his bid.

Bid must be signed by firm member or authorized individual

(FIRM NAME)

ACCEPTED AS TO ITEM OR ITEMS:
NUMBERED:_____

(SIGNATURE)

BOARD OF COMMISSIONERS OF THE
PORT OF NEW ORLEANS

BY: _____ DATE _____

TERRY MARTIN, PURCHASING AGENT

THE BOARD ENCOURAGES PARTICIPATION BY QUALIFIED MINORITY AND WOMEN BUSINESS ENTERPRISES IN ALL ITS PROCUREMENT ACTIVITIES.

Board of Commissioners of The Port of New Orleans

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Purchasing Department

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ETHICS DISCLOSURE

The Board calls the attention of all potential bidders to the Louisiana Ethics Code, La. R.S. 44: __ et seq. Those laws prohibit the Board from doing business with any of its current commissioners or those who have served on the Board within the past two years of form doing business with certain companies with which these persons are connected.

Current Commissioners are:

Thomas D. Wesfeldt-Chairman
John F. Fay Jr.- Vice Chairman
J. Wayne Mumphrey- Secretary-Treasurer
Allen J “A.J.” Gibbs-Member of the Board
Vallerie S. Cahill-Member of the Board
Joseph F. Toomy-Member of the Board
Daniel F. Packard-Member of the Board

Commissioners who served during the past two years are:

James O. Campbell
Samuel Nunez, Jr.

Interested bidders are advised to consult their attorneys with further questions and to inquire of their subcontractors whether they have a connection with these persons that would prohibit these contractors, from doing work for the Port of New Orleans. Failure to do so and including in their bids subcontractors who are prohibited by Ethics Code from doing business with the Port of New Orleans could result in the rejection of bids.

ALSO NOT THAT ELECTRONIC BIDS CAN ALSO BE SUBMITTED ON LINE THROUGH THE PORT OF NEW ORLEANS WEBSITE UNDER THE PROCUREMENT SECTION AND CENTRAL BIDDING PAGE.